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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/950,760	10/15/1997	ANN M. WOLLRATH	06502.0063-0	9769
7590	04/08/2004		EXAMINER	
JEFFREY A BERKOWITZ FINNEGAN HENDERSON FARABOW GARRETT & DUNNER 1300 I ST NW WASHINGTON, DC 200053315			LAO, SUE X	
			ART UNIT	PAPER NUMBER
			2126	28
DATE MAILED: 04/08/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicant No.	Applicant(s)
	08/950,760	WOLLRATH ET AL.
	Examiner S. Lao	Art Unit 2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 09 January 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 70-106 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 70-84 and 91-106 is/are allowed.
 6) Claim(s) 85 and 88 is/are rejected.
 7) Claim(s) 86, 87, 89, 90 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

1. Claims 70-106 are pending. This action is in response to the amendment filed 1/9/2004. Applicant has amended claims 70 and 91 and added claims 103-106.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 85 and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wollrath et al ("Simple Activation for Distributed Objects") in view of Hare et al (EP 0733970A1).

As to claim 85, Wollrath teaches a method of handling an object call for an object (object activation protocol), comprising

receiving a first object call to remotely activate a first object (object invocation),

in response to, determining whether a first object group corresponding to is active (depending on status of the object being active or passive),

if it is determined that the first object group is not active (not already active), activating the first object group (activate all objects of an aggregate object, activate transitive closure of referenced object) and activating the first object within (activate object within an aggregate),

wherein the first object group is a first subset (aggregate object, group/set of objects) of all objects that can be remotely activated (distributed objects). See sections 2, 2.1, 2.2, 2.3, 3.3, 3.4, 3.5.

Wollrath does not explicitly teach the first object group is created before activated it. Nevertheless, Hare teaches (co-activation) creating an object group (allocate resources) before activating it (col. 12, lines 10-36). See col. 11, line 17 - col. 12, line 52; col. 15, line 58 - col. 16, line 54. It is noted that allocating resources to an object/group is an integral part of a creation process. Therefore, it would have been obvious to create the first object group before activating it in Wollrath. One of ordinary skill in the art would have been motivated to combine the teachings of Wollrath with

Hare because it would have reduced redundancy and unnecessary overhead (Hare, col. 3, lines 8-26) desirable during activations (Wollrath, page 3, right col., section 2, 1st-2nd para.s).

As to claim 88, it is covered by claim 85 except that the steps are applied to a second object call, second object, second group, second subset different. The system of Wollrath as modified is a distributed object system including multiple groups/sets of objects and the invocations thereof (Hare, co-activation-1 corresponding to object-1, co-activation-2 corresponding to object-3, col. 12, lines 37-52). Therefore, it would have been obvious to perform the steps as recited in claim 85 for the invocation of a second object belonging to a second group/set for the purpose of uniformity. Note discussion of claim 85 for a motivation to combine the teachings.

4. Claims 70-84, 91-106 are allowed.
5. Claims 86, 87, 89 and 90 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. Applicant's arguments filed 1/9/2004 have been fully considered but they are not persuasive.

Applicant argued, regarding claims 85 and 88, that Hare does not teach creating an object/group because the object/group are already present (remarks, page 15, last para.).

The examiner respectfully disagrees. Hare teaches creating an object/group by allocating resources to the object/group before activation. See col. 12, lines 10-36. One of ordinary skill in the art would recognize that resource, such as memory, allocation is an integral and an essential part of an object creation process. If applicant's creation differs from the conventional, it has not been brought out by the claim language.

Regarding applicant's argument that the advantages taught by Hare has nothing to do with activating objects as discussed by Wollrath. (remarks, page 16, 1st para.).

The examiner's response is that both Hare and Wollrath are directed to the distributed objects and their invocations. One of ordinary skill in the art would be motivated to combine the teachings of Wollrath with Hare because it would reduce redundancy and unnecessary overhead (Hare, col. 3, lines 8-26), which is desirable during activations in Wollrath (conserving system resources, Wollrath, page 3, right col., section 2, 1st-2nd para.s).

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Guttman et al teaches distributed object systems, including creation (instantiation) and activation. Waldo et al teaches activating objects and object groups (cols 13-14, 17-18).

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. A voice mail service is also available at this number. The examiner's supervisor, SPE Meng-Ai An, can be reached on (703) 305 9678. The examiner can normally be reached on Monday - Friday, from 9AM to 5PM. The fax phone number for the organization where this application or proceeding is assigned is (703) 872 9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Sue Lao *Suelao*

April 2, 2004